

***DRAFT 3/28/18 – SUBJECT TO CHANGE
For Review and Adoption by the Council at the April 26-27, 2018 Meeting***

**DELTA STEWARDSHIP COUNCIL
Thursday March 22, 2018
West Sacramento City Hall Galleria
1110 West Capitol Avenue
West Sacramento, CA 95691**

MEETING SUMMARY

1. Welcome and Introductions

The meeting was called to order at 9:05 a.m., Mar. 22, 2018, by Chair Randy Fiorini.

2. Roll Call – Establish a Quorum (Water Code §85210.5)

Roll call was taken and a quorum was established. The following members were present: Randy Fiorini, Frank Damrell, Ken Weinberg, Skip Thomson. Mike Gatto, Maria Mehranian, Susan Tatayon, and Pat Johnston were absent.

3. Closed Executive Session – (Not open to the public) (Action Item)

The Council may discuss litigation matters pursuant to Government Code §11126 (e)(2)(A), (e)(2)(B)(i), and/or (e)(2)(C)(i), including: (a) Delta Stewardship Council Cases, Coordinated Proceeding JCCP No. 4758, and (b) Bracewell Engineering Inc., et al., v. Delta Stewardship Council, et al., Sacramento County Superior Ct. No. 34-2015-80002178.

Member Tatayon arrived

4. Reconvene Open Session

5. Adoption of the February 22, 2018 Meeting Summary (Action Item)

Chair Fiorini stated that there is a revised meeting summary due to a minor change to the Water Masters Quarterly Report. Chair Fiorini asked if there were any questions, suggestions, or comments from the Council or public regarding the Feb. 22, 2018 meeting summary; there were none.

The revised Feb. 22 meeting summary can be found on the Council's website at <http://deltacouncil.ca.gov/docs/meeting-documents/delta-stewardship-council-march-22-2018-item-5-february-22-2018-meeting>.

Motion: (Offered by Fiorini, second by Damrell) to approve the Feb. 22, 2018 meeting summary.

Vote: (5/0: Damrell, Weinberg, Tatayon, Fiorini, Thomson) and the motion was adopted.

The video showing this motion and vote can be found on the linked agenda: <http://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2018-03-22>, 00:03:08.

6. Chair's Report (Information Item)

Chair Fiorini asked if any Council members wanted to report meeting attendance. Member Weinberg stated that last month he gave two presentations on behalf of the Council. One to the Escondito Republican Club and the other to the monthly luncheon for the American Public Works Association. The presentations focused on Council activities and the Delta Plan Amendments.

Chair Fiorini noted Senate President Protemp deLeon has appointed Maria Mehranian to fill the vacancy left by Patrick Johnston. Ms. Mehranian was a recent chair to the Regional Water Quality Control Board in Los Angeles and will attend her first meeting in April.

Chair Fiorini noted the April 16, 2018 Delta Plan Interagency Implementation Committee (DPIIC) meeting. Planning efforts are underway. The agenda is shaping up to discuss the Ecosystem Amendment; One Delta, One Science; and the California Water Action Plan. An objective of the 2018 DPIIC meetings is to develop a vision for habitat restoration in the Delta that can be shared with the new administration.

7. Executive Officer's Report (Information Item)

Chief Deputy Executive Officer Jessica Law presented the executive officer's report, noting an update for the Delta Plan implementation activities. Ms. Law said that during the course of the last month, one covered action entered public review and passed without appeal. The covered action was submitted by the Department of Parks and Recreation, Division of Boating and Waterways.

Ms. Law made remarks about one comment letter to the US Bureau of Reclamation regarding the Draft Feasibility Report on Los Vaqueros Reservoir Expansion Project, Phase II, <http://deltacouncil.ca.gov/sites/default/files/2018/03/18-0302%20Letter%20from%20Deputy%20Executive%20Officer%20Jeff%20Henderson%20re%20Los%20Vaqueros%20Feasibility%20Reclamation.pdf>.

Ms. Law noted a few staff changes. Scott Navarro has joined the Council as a new environmental scientist for planning. Ms. Law also welcomed Caterina Pein and Mateo Robbins as the new Sea Grant Fellows for the Delta Science Program. Ms. Pein will assist with the Delta Independent Science Board and Mr. Robbins will assist with the update to the Delta Science Plan.

7a. Legal Update (Information Item)

The legal update can be found on the Council's website at <http://deltacouncil.ca.gov/docs/meeting-documents/delta-stewardship-council-march-22-2018-item-7a-legal-update>.

7b. Legislative Update (Information Item)

Ryan Stanbra provided a Legislative Update, which can be found on the Council's website at <http://deltacouncil.ca.gov/docs/meeting-documents/delta-stewardship-council-march-22-2018-item-7b-legislative-report>.

Member Weinberg commented on AB 2053 and 2348, asking how we can more visibly support these efforts. Member Weinberg also asked if staff has someone working with the author and what the Council's position is on these two bills. Member Weinberg suggested that the Council be more vocal and visible in support of these efforts. Member Thomson agreed and encouraged the Council to support and inform the legislature. Chair Fiorini offered to send a letter to the author indicating the Council's position; consistent with the Council's past communication.

Member Tatayon asked if Mr. Stanbra gave Council members protocol on supporting or opposing a bill. Mr. Stanbra noted the protocol was given at the September 2017 meeting. Member Tatayon suggested that Mr. Stanbra advise on timing regarding when when it is appropriate to state support for legislation.

Member Damrell requested more info on bills, including supporting or opposing parties and amendments.

Chair Fiorini suggests clear linkage to the Delta Plan. Member Damrell agrees and suggests that staff state the reference directly with the Delta Plan language.

Member Weinberg summarized direction to staff: in April, staff will bring back to more details and a recommended direction for Council to take.

7c. San Francisco Estuary and Watershed Science (SFEWS) Contract Approval (Action Item)

Ms. Law invited Deputy Executive Officer for Science Rainer Hoenicke and Environmental Scientist Nir Oksenberg to provide details about the SFEWS contract. The staff report for this item can be found on the Council's website at <http://deltacouncil.ca.gov/docs/meeting-documents/delta-stewardship-council-march-22-2018-item-7c-san-francisco-estuary-and>.

Member Thomson asked staff to talk about the other partners in this publication. Mr. Hoenicke stated the California Digital Library, US Geological Survey (USGS) and University of California Davis (UC Davis) are all partners. USGS contributes in kind services through the Chief Editor, Dr. Samuel Luoma; UC Davis provides administrative and software support.

Motion: (Offered by Thomson, second by Tatayon) to approve the SFEWS contract.

Vote: (5/0: Damrell, Weinberg, Tatayon, Fiorini, Thomson) and the motion was adopted.

The video showing this motion and vote can be found on the linked agenda: <http://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2018-03-22>, 00:36:20.

7d. Water Board Reimbursable Agreement Contract Amendment Approval (Action Item)

Ms. Law invited Hoenicke and Program Manager II (Supervisor) Lindsay Correa to provide details about the Water Board Reimbursable Agreement Amendment contract. The staff report for this item can be found on the Council's website at <http://deltacouncil.ca.gov/docs/meeting-documents/delta-stewardship-council-march-22-2018-item-7d-water-board-reimbursable>.

Council members did not have questions or comments for this item.

Motion: (Offered by Weinberg, second by Tatayon) to approve the Water Board Reimbursable Agreement Amendment contract.

Vote: (5/0: Damrell, Weinberg, Tatayon, Fiorini, Thomson) and the motion was adopted.

The video showing this motion and vote can be found on the linked agenda: <http://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2018-03-22>, 00:38:55.

To wrap up the Executive Officer's report Ms. Law mentioned the Council is entering into the last quarter of the fiscal year; many contracts and amendment to contracts will be released during the next few months.

Chair Fiorini asked if there were any members of the public who wished to comment on the executive officer's report; there were none.

8. Lead Scientist's Report (Information Item)

Chair Fiorini invited Dr. John Callaway to present the Lead Scientist's Report. The report covered a number of collaborative and science communication activities as well as the new 2018 Delta Science Fellows; it is available on the Council's website at <http://deltacouncil.ca.gov/docs/meeting-documents/delta-stewardship-council-march-22-2018-item-8-lead-scientists-report>. The list of 2018 Delta Science Fellows is available on the Council's website at <http://deltacouncil.ca.gov/docs/meeting-documents/delta-stewardship-council-march-22-2018-item-8-attachment-1>.

After Dr. Callaway concluded his report, he invited Nir Oksenberg to present *By the Numbers* summary. *By the Numbers* is posted on the Council's website at <http://deltacouncil.ca.gov/docs/meeting-documents/delta-stewardship-council-march-22-2018-item-8-attachment-2>.

Chair Fiorini asked if there were any members of the public who wished to speak; there were none.

9. Lessons on Drought (Information Item)

Senior Environmental Scientist Specialist Yumiko Henneberry introduced the topic and panel: Dr. John Durand and Amber Manfree from the UC Davis, Center for Watershed Sciences. The staff report for this item can be found on the Council's website at <http://deltacouncil.ca.gov/docs/meeting-documents/delta-stewardship-council-march-22-2018-item-9-lessons-drought-synthesis>. Attachment 1 can be found on the Council's website at <http://deltacouncil.ca.gov/docs/meeting-documents/delta-stewardship-council-march-22-2018-item-9-attachment-1>.

Dr. Brandt gave an overview of the Lessons on Drought synthesis report, including highlights of the science used to inform those decisions and determine the effects of the actions taken.

Council members, Dr. Brandt, and Ms. Manfree discussed details of the topic such as recommendations (for communication in a crisis, improving science infrastructure, etc.), conflicting mandates between federal and regulating agencies, training provided to mend the gap between water managers and operators, and, priorities for downstream demand.

Chair Fiorini asked if there were any members of the public who wished to speak; one commenter, Melinda Terry from the North Delta Water Agency, commended the Council for continuing to have a discussion about drought. Ms. Terry noted the number of retirements that local agencies are currently experiencing and the need for these agencies to train the new staff. Many new employees have not seen levee slips before or drought. Ms. Terry also recommended evaluating the effectiveness of a drought barrier in advance.

Chair Fiorini thanks Ms. Terry for her comment and asked if there were any other members of the public who wished to speak; there were no others.

10. Delta Levees Investment Strategy Implementation Update (Information Item)

Mr. Stanbra and Senior Engineer Erin Mullin introduced the topic and panel: Mike Mierzwa and Robert Charney from Department of Water Resources (DWR). The staff report for this item can be found on the Council's website at <http://deltacouncil.ca.gov/docs/meeting-documents/delta-stewardship-council-march-22-2018-item-10-delta-levees-investment>. Mr. Mierzwa and Mr. Charney's presentation can be found on the Council's website at <http://deltacouncil.ca.gov/docs/meeting-documents/delta-stewardship-council-march-22-2018-item-10-delta-levees-investment-0>.

Ms. Mullin provided an overview of the Delta Levees Investment Strategy Implementation Update. Since Nov. 2017, the new committee of staff have been meeting to develop a potential work plan for the Memorandum of Understanding (MOU). Mr. Stanbra summarized one of the approaches, to rank funding proposals based on pre-set topics. Efforts towards this task will continue to strengthen the collaboration between the MOU partners.

Chair Fiorini noted that the current state of the approach is identified but not “fully cooked” yet.

Chair Fiorini asked if there were any members of the public who wished to speak.

Ms. Terry, representing the California Central Valley Flood Control Association stated that the staff direction to meet and bring back a report was beneficial. Ms. Terry suggested that the committee refer to statute as the primary language for the guidelines. Ms. Terry further acknowledges the benefits of going through the public process but found concern with four full-time positions to manage ability to pay and subventions. Based on the limited funding received by the Department of Finance, this expense for new salary reduces that funding source. Mr. Charney addressed Mr. Terry by stating the committee’s intention is to apply the ability to pay to both programs but depends on how the Water Code “shakes out”. There will be opportunity to update the public at their Central Valley Flood Protection Board (Flood Board) presentation and the following workshop in April.

Mr. Cosio from MBK Engineers shared concerns about the ability to pay and brought examples for the Council to review. His main concerns were on limits to how much revenue farmers could generate from farm ground (Proposition 218), the funds left after levees cost, farmers dealing with districts that want an assessment rate, the cost spend on non-levee items being first priority, and DWR asking for more money which takes away from money need to farm and other costs.

Chair Fiorini suggested that the ability to pay is lower compared to urban property or high investment meaning higher ability to pay. Mr. Cosio responded, not necessarily; there is a need to account for planting cost and years of no crops.

Chair Fiorini and Member Weinberg respectfully disagreed with Mr. Cosio in regards to ability to pay. They further stated that based on his findings, the subject changes to “willingness to pay” rather than requirement. To that point; capital improvements on an island would yeild higher willingness to protect your assets.

Chair Fiorini acknowledged that there is a solution to this problem and invited Mr. Cosio to present at the Flood Board and continue to help shape the solution for this issue. Mr. Cosio offers support with any input that is needed.

11. Public Comment

No public comment

12. Preparation for Next Council Meeting – Discuss (a) expected agenda items; (b) new work assignments for staff; (c) requests of other agencies; (d) other requests from Council members; and (e) confirm next meeting date.

| The meeting adjourned at 12:39 p.m.